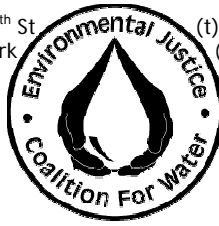


# Environmental Justice Coalition for Water

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## Environmental Justice Delta Vision

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### Vision

An environmental justice vision of the Delta reflects principles that apply beyond the life of the Delta Vision planning process and can be used to guide future Delta planning decisions. A sustainable Delta that provides for the needs of environmental justice communities, currently spread broadly across the legally defined Delta, will provide a safe, livable environment for all current and future residents of the Delta. That environment will include necessary infrastructure for water, flood protection, adequate transportation, etc., and will include economic opportunities for current and future community residents.

Environmental justice and disadvantaged communities face multiple barriers in trying to address the needs of their communities. These include:

- Competing priorities. These communities face multiple challenges which, due to a lack of resources, are often addressed on an emergency basis.
- Lack of access to decision-making processes.
- Limited data on the scope of their issues
- Lack of resources

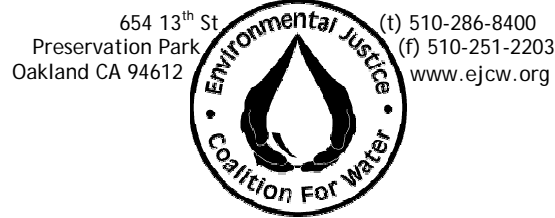
Achieving a Delta vision that addresses these barriers will require special focus on communities that lack the financial flexibility to easily adapt to substantial changes in the way of life in the Delta, as well as when planning for climate change and catastrophic events. The following describes key elements and considerations necessary to ensure that EJ communities do not suffer disproportionately and conversely that EJ communities benefit equitably from any new policies governing the Delta.

### Key Vision Elements

#### Procedural Elements

- 1) *The Delta decision-making structure must recognize and address the differing capacity for participation among interested stakeholders in order to ensure a fair and balanced Vision.*
- 2) *Planning and implementation of the Delta Vision must incorporate meaningful stakeholder engagement that contributes to and impacts the outcome of the Vision.*
- 3) *Data gaps relevant to disadvantaged and environmental justice communities*

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*must be identified and addressed.*

- 4) *Decisions based upon inconclusive data should be made in a provisional and reversible manner.*

A sustainable Delta will be governed by a diverse and representative set of agencies and interested stakeholders. The best and most defensible decisions are made with full participation of all interested stakeholders. The current and historical make-up of decision-making structures for Delta policy focus representation on those stakeholder groups with the most powerful voices. Not surprisingly, this has limited the range of discussion to focus on areas of conflict. Broadening the stakeholder base increases the range of topics to be discussed, but also provides an opportunity to reach consensus on issues that have not previously been central to the discussion.

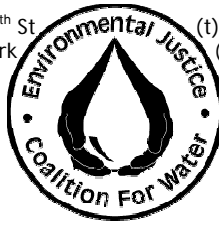
Enabling meaningful engagement and statewide investment in Delta restoration and management will require education and capacity building around the state. California's residents, by and large, have no idea where the Delta begins and ends or the role it plays in providing for California's water resources. Education can serve multiple purposes including the development of a greater investment in the Delta which may translate into support for additional resources to sustain the Delta. In addition, education can help to build capacity for more meaningful participation. Delta planning will benefit greatly from a more informed and engaged community who can impact the Delta through their individual behaviors (ie: conservation, reduced pesticide use, alterations in boating practices, etc.) and in their contributions to the greater decision-making process.

Implementing agencies and impacted communities need basic information upon which to base decisions and evaluate outcomes. For impacted communities, a lack of data monitoring and evaluation means that information about cumulative impacts is absent from decision-making, and that funding opportunities are missed. For agencies, decisions made on this uncertain foundation are subject to challenge. The Delta Vision process must, as part of its recommendations, identify areas in which key information must still be gathered to support its conclusions.

The Delta is a dynamic system. Any ideal developed in a one-time process will fail to account for all of the unknowns that are difficult to predict. Thus, the most important element of a new Delta Vision is a governance structure that will be flexible, and able to make decisions in a timely fashion and in the face of uncertainty, but will also provide full opportunity for participation and review of previous decisions and course change as necessary to achieve a sustainable delta.

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## Water Supply/Water Quality

- 1) *Drinking water quality and supply, both groundwater and surface water, must be adequate for all California residents.*
- 2) *The public health impacts on subsistence fishers from eating unsafe amounts of contaminated fish must be addressed through efforts to improve water quality and to reduce exposure to mercury and other harmful bioaccumulative contaminants.*

While the major focus in Delta Visions SCG has been on water supply, water quality is a key component of a functional Delta. High quality water is necessary for the proper functioning of the ecosystem, drinking water supply, and provision for dietary subsistence.

Any water quality requirements set for the Delta must take into consideration the fact that people eat the fish swimming through the Delta. We estimate that more than 20,000 people, including young children, eat fish as a dietary staple. These families often lack the economic flexibility to purchase alternative sources of nutrition. Because it will take generations to reduce mercury contamination in fish, risk reduction activities must be developed with community input and implemented --*that will actually reduce their risk of exposure and mitigate health impacts when they occur.*

In addressing the clear and pressing issues of surface water quality in the Delta, the continuing deterioration of groundwater quality within the Delta and its source watersheds must also be of concern. A Delta Vision that ignores groundwater quality condemns a significant number of California residents to continue reliance on substandard drinking water supplies, and ignores the potential for great improvement in water supply reliability that can be made through groundwater conjunctive use.

## Land Use

- 1) *Impacts on low-income homeowners, such as threats to public safety and lowered home values must be addressed as part of any proposed land use changes called for by the new Delta Vision.*
- 2) *Affordable housing opportunities must be maintained as land use changes are implemented.*
- 3) *The disproportionate impacts of flooding on renters must be mitigated for all resident of the Delta, including those who work and live in the Delta, but do not own land.*
- 4) *The impacts on existing communities of alterations in land use plans must be evaluated, particularly the potential for increased vulnerability to flooding.*
- 5) *Emergency response plans must address the needs of the low-income and Latino populations at disproportionate risk from flood events.*

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A sustainable Delta will require dramatic changes in land use decisions. The Delta is already over-developed limiting choices for flood attenuation and increasing the potential for catastrophic damage associated with a seismic event. As those choices are made the potential exists to provide equitable benefits in planning for EJ communities, but there is also the threat of disproportionate impacts on those same communities. For this reason, a sustainable vision for the Delta must identify and account for the particular impacts on EJ communities.

Changes in allowable land use patterns must be an element of a sustainable Delta Vision. Current patterns of development will leave entire communities at risk in the event of seismic activity or flooding. A disproportionate number of these at-risk developments are populated by low-income, predominantly Latino residents. . Changes in flood mapping and zoning will have a profound effect on their investments, while their ability to recover from a flood event is limited. Moreover, these existing communities may be detrimentally impacted by the advent of upper scale developments protected by new "super levies," which have the potential to divert flood waters in a way that negatively impacts lower income communities.

In addition, Hurricane Katrina provided a vivid illustration of the potential impacts of a catastrophic event. Katrina made it very clear that the people with the fewest resources tend to suffer the most, and as many remaining homeless families in New Orleans will tell you, recover the slowest from a catastrophic event. If we want to avoid a similar tragedy any Delta Vision must account for protection of communities remaining in the Delta and expedited emergency evacuation plans with special focus on educating EJ communities to be aware of the plan and with the resources necessary to actually evacuate these communities.

At an even greater disadvantage are communities that reside but don't own property in flood plains – including tenants and farmworkers. These communities receive less assistance than property owners after a flood event, and are more likely to be permanently displaced. Any emergency plan must target these residents.

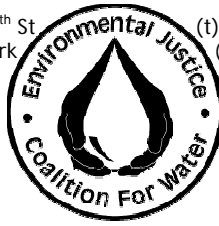
Finally, as development becomes limited and/or more expensive in flood plains, the supply of low-income housing will be curtailed. Any land use changes must include a plan for provision of affordable housing for the current and expected population in the Delta region.

## Local and State Economies

- 1) *Proposed changes in agricultural practices or other economic activities must evaluate the potential impacts of those changes on Delta residents, particularly farmworker and other disadvantaged communities.*

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## *2) Implementing the Delta Vision should provide economic opportunities to current Delta residents.*

The "legal" Delta is largely an agricultural and recreational economy. As such, many of the employment opportunities require little education and flexible status. Changing crops, fallowing or retiring land, shifts in recreational opportunities (and the service industry that supports them) will impact the communities existing to support those industries. These impacts go beyond the paycheck these individuals receive, including loss of the communities where these individuals live. There is a myth that these are migrant communities when in fact, these are stable, established communities. Any changes in the economic viability of these communities must be accommodated in a sustainable Delta Vision.

Conversely, proper caretaking of the Delta and its resources can provide new economic opportunities that should be targeted at these residents. Water quality monitoring, wetland restoration, and levee repair all provide new opportunities for Delta workers.

### Environment

- 1) A sustainable Delta must provide necessary water flows to maintain the ecosystem, and must have the flexibility to amend these flows as circumstances dictate.*
- 2) Ecosystem impacts, beyond flow, must be considered and altered to improve ecosystem health.*
- 3) Delta Vision must recognize the impact of upstream source control and flood attenuation activities on the health and viability of the Delta.*

The collapse of the Delta smelt population provides a sobering reflection on the dangers of unintended consequences. Environmental justice communities have a similar unfortunate history; that is, the dismissal of cumulative impacts as insignificant until such time as their impact on the community's health is undeniable.

- To ensure that community health and the environment are protected in the Delta Vision process, we recommend that decisions on changes in conveyance and operation of Delta water infrastructure be incremental and reversible, dependent upon the measured impact on the ecosystem.
- Agricultural and stormwater discharges be limited to protect water quality.
- Remediation of mine sites and stream beds be prioritized and ecosystem restoration projects be prioritized, sited, and designed so as to limit the potential for additional methylation of mercury and the related health impacts to wildlife and human health.